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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

SEP 28 1995

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

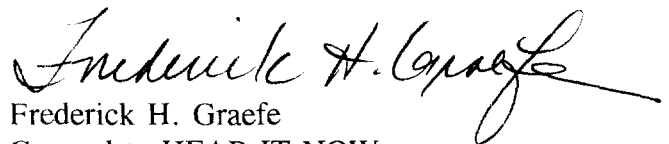
Re: Ex Parte Presentation--RM-8658

Dear Mr. Caton:

Today, HEAR-IT NOW sent the enclosed letter regarding RM-8658 to Chairman Reed Hundt, Commissioner James Quello, Commissioner Andrew Barrett, Commissioner Rachelle Chong, Commissioner Susan Ness, Richard Smith, Regina Keeney, Gerald Vaughan, John Cimko, Daniel Phythyon, Michael Buas and Stan Wiggins.

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, an original and one copy of this letter, with enclosures, are being filed with your office. Please contact the undersigned if you have any questions.

Respectfully submitted,



Frederick H. Graefe
Counsel to HEAR-IT NOW

Enclosures

cc: Chairman Reed Hundt (w/o Encl.)
Commissioner James Quello (w/o Encl.)
Commissioner Andrew Barrett (w/o Encl.)
Commissioner Rachelle Chong (w/o Encl.)
Commissioner Susan Ness (w/o Encl.)
Richard Smith (w/o Encl.)

Regina Keeney (w/o Encl.)
Gerald Vaughan (w/o Encl.)
John Cimko (w/o Encl.)
Daniel Phythyon (w/o Encl.)
Michael Buas (w/o Encl.)
Stan Wiggins (w/o Encl.)

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September 28, 1995

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Mr. Chairman:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

Mr. Wheeler's letter and its attachments offer no information of relevance to the instant proceeding. HEAR-IT NOW has requested the FCC to investigate issues of access to new digital PCS telephones by the more than four million Americans who wear hearing aids. The event described by Mr. Wheeler clearly involved an analog, not a digital, wireless telephone.

Furthermore, the demonstration of the supplemental access device was misleading in that it appeared Ms. Whitestone actually spoke into the analog cellular phone. A review of the videotape of the event reveals that attached to the cord leading from the analog phone to Ms. Whitestone's left ear was a small microphone near the left side of her jaw. Ms. Whitestone not only listened to Mrs. Clinton through the supplemental access device, but also spoke to the First Lady through the microphone attached to that device. All

The Honorable Reed E. Hundt
September 28, 1995
Page Two

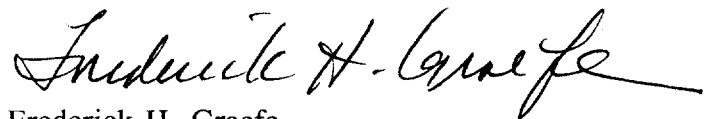
communications, therefore, were taking place through the supplemental access device and not through the analog cellular phone. Ms. Whitestone's holding the phone to her ear was the equivalent of holding a telephone receiver to one's ear while using a speakerphone--an unnecessary gesture. Of course, had Ms. Whitestone not held the analog phone to her ear, the value of this photo opportunity to Mr. Wheeler would have been greatly diminished.

Finally, there is no evidence that external supplemental access devices would work with a digital GSM PCS telephone. A hearing aid must be adjusted to the "T-coil" setting in order to use a device such as the one demonstrated by Ms. Whitestone. Setting the hearing aid to the "T-coil" position increases the hearing aid's sensitivity to interference which, in turn, would make the hearing aid more susceptible to GSM interference.

As HEAR-IT NOW noted in its reply comments, placing the burden of access to advanced telecommunications devices on the more than four million individuals who wear hearing aids would require these individuals to navigate a maze of options at their own expense in order to gain access to PCS networks. Such a "separate but equal" approach to access is inherently unfair and ultimately serves only to mask, rather than to solve, underlying problems.

HEAR-IT NOW once again urges the FCC to establish a negotiated rulemaking proceeding to expedite resolution of its petition. By initiating such a proceeding, the FCC will ensure that the public interest is truly represented in searching for solutions to the problem of PCS compatibility with hearing aids.

Yours very truly,

A handwritten signature in black ink, appearing to read "Frederick H. Graefe", with a long, sweeping horizontal line extending to the right.

Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Commissioner James Quello
Commissioner Andrew Barrett
Commissioner Rachelle Chong
Commissioner Susan Ness
Richard M. Smith
Regina Keeney
Gerald P. Vaughan
John Cimko
Daniel Phythyon
Michael Buas
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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

The Honorable James H. Quello
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 802
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Commissioner Quello:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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The Honorable James H. Quello
September 28, 1995
Page Two

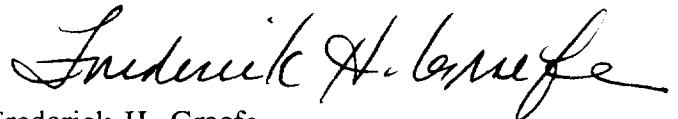
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As HEAR-IT NOW noted in its reply comments, placing the burden of access to advanced telecommunications devices on the more than four million individuals who wear hearing aids would require these individuals to navigate a maze of options at their own expense in order to gain access to PCS networks. Such a "separate but equal" approach to access is inherently unfair and ultimately serves only to mask, rather than to solve, underlying problems.

HEAR-IT NOW once again urges the FCC to establish a negotiated rulemaking proceeding to expedite resolution of its petition. By initiating such a proceeding, the FCC will ensure that the public interest is truly represented in searching for solutions to the problem of PCS compatibility with hearing aids.

Yours very truly,



Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Chairman Reed E. Hundt
Commissioner Andrew Barrett
Commissioner Rachelle Chong
Commissioner Susan Ness
Richard M. Smith
Regina Keeney
Gerald P. Vaughan
John Cimko
Daniel Phythyon
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Stan Wiggins

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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

The Honorable Andrew C. Barrett
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 826
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Commissioner Barrett:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

Mr. Wheeler's letter and its attachments offer no information of relevance to the instant proceeding. HEAR-IT NOW has requested the FCC to investigate issues of access to new digital PCS telephones by the more than four million Americans who wear hearing aids. The event described by Mr. Wheeler clearly involved an analog, not a digital, wireless telephone.

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The Honorable Andrew C. Barrett
September 28, 1995
Page Two

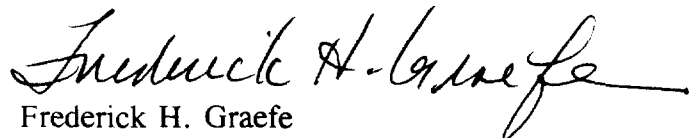
communications, therefore, were taking place through the supplemental access device and not through the analog cellular phone. Ms. Whitestone's holding the phone to her ear was the equivalent of holding a telephone receiver to one's ear while using a speakerphone--an unnecessary gesture. Of course, had Ms. Whitestone not held the analog phone to her ear, the value of this photo opportunity to Mr. Wheeler would have been greatly diminished.

Finally, there is no evidence that external supplemental access devices would work with a digital GSM PCS telephone. A hearing aid must be adjusted to the "T-coil" setting in order to use a device such as the one demonstrated by Ms. Whitestone. Setting the hearing aid to the "T-coil" position increases the hearing aid's sensitivity to interference which, in turn, would make the hearing aid more susceptible to GSM interference.

As HEAR-IT NOW noted in its reply comments, placing the burden of access to advanced telecommunications devices on the more than four million individuals who wear hearing aids would require these individuals to navigate a maze of options at their own expense in order to gain access to PCS networks. Such a "separate but equal" approach to access is inherently unfair and ultimately serves only to mask, rather than to solve, underlying problems.

HEAR-IT NOW once again urges the FCC to establish a negotiated rulemaking proceeding to expedite resolution of its petition. By initiating such a proceeding, the FCC will ensure that the public interest is truly represented in searching for solutions to the problem of PCS compatibility with hearing aids.

Yours very truly,

A handwritten signature in cursive script, reading "Frederick H. Graefe".

Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Chairman Reed E. Hundt
Commissioner James Quello
Commissioner Rachelle Chong
Commissioner Susan Ness
Richard M. Smith
Regina Keeney
Gerald P. Vaughan
John Cimko
Daniel Phythyon
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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

The Honorable Rachelle B. Chong
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 844
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Commissioner Chong:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

Mr. Wheeler's letter and its attachments offer no information of relevance to the instant proceeding. HEAR-IT NOW has requested the FCC to investigate issues of access to new digital PCS telephones by the more than four million Americans who wear hearing aids. The event described by Mr. Wheeler clearly involved an analog, not a digital, wireless telephone.

Furthermore, the demonstration of the supplemental access device was misleading in that it appeared Ms. Whitestone actually spoke into the analog cellular phone. A review of the videotape of the event reveals that attached to the cord leading from the analog phone to Ms. Whitestone's left ear was a small microphone near the left side of her jaw. Ms. Whitestone not only listened to Mrs. Clinton through the supplemental access device, but also spoke to the First Lady through the microphone attached to that device. All

The Honorable Rachelle B. Chong

September 28, 1995

Page Two

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Yours very truly,



Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Chairman Reed E. Hundt
Commissioner James Quello
Commissioner Andrew Barrett
Commissioner Susan Ness
Richard M. Smith
Regina Keeney
Gerald P. Vaughan
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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

The Honorable Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 832
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Commissioner Ness:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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The Honorable Susan Ness
September 28, 1995
Page Two

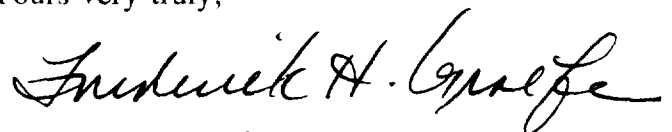
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Yours very truly,



Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Chairman Reed E. Hundt
Commissioner James Quello
Commissioner Andrew Barrett
Commissioner Rachelle Chong
Richard M. Smith
Regina Keeney
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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

Mr. Richard M. Smith
Chief
Office of Engineering and Technology
Federal Communications Commission
2025 M Street, N.W.
Room 7002
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Mr. Smith:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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Mr. Richard M. Smith
September 28, 1995
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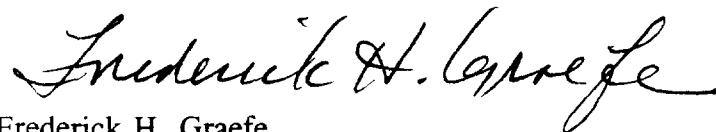
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Yours very truly,

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Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Chairman Reed E. Hundt
Commissioner James Quello
Commissioner Andrew Barrett
Commissioner Rachelle Chong
Commissioner Susan Ness
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WRITER'S DIRECT DIAL NUMBER (202) 861-1725

September 28, 1995

Ms. Regina Keeney
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 5002
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Ms. Keeney:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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Ms. Regina Keeney
September 28, 1995
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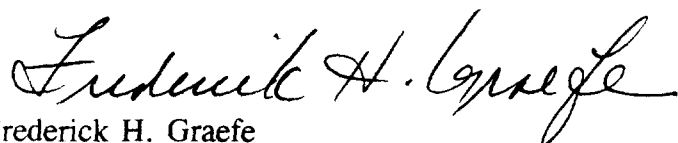
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Yours very truly,



Frederick H. Graefe
Counsel to HEAR-IT NOW

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September 28, 1995

Mr. Gerald P. Vaughan
Deputy Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 5002
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Mr. Vaughan:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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Mr. Gerald P. Vaughan
September 28, 1995
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As HEAR-IT NOW noted in its reply comments, placing the burden of access to advanced telecommunications devices on the more than four million individuals who wear hearing aids would require these individuals to navigate a maze of options at their own expense in order to gain access to PCS networks. Such a "separate but equal" approach to access is inherently unfair and ultimately serves only to mask, rather than to solve, underlying problems.

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Frederick H. Graefe
Counsel to HEAR-IT NOW

cc: Chairman Reed E. Hundt
Commissioner James Quello
Commissioner Andrew Barrett
Commissioner Rachelle Chong
Commissioner Susan Ness
Richard M. Smith
Regina Keeney
John Cimko
Daniel Phythyon
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September 28, 1995

Mr. John Cimko
Chief, Policy Division
Wireless Telecommunications Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 644
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Mr. Cimko:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

Mr. Wheeler's letter and its attachments offer no information of relevance to the instant proceeding. HEAR-IT NOW has requested the FCC to investigate issues of access to new digital PCS telephones by the more than four million Americans who wear hearing aids. The event described by Mr. Wheeler clearly involved an analog, not a digital, wireless telephone.

Furthermore, the demonstration of the supplemental access device was misleading in that it appeared Ms. Whitestone actually spoke into the analog cellular phone. A review of the videotape of the event reveals that attached to the cord leading from the analog phone to Ms. Whitestone's left ear was a small microphone near the left side of her jaw. Ms. Whitestone not only listened to Mrs. Clinton through the supplemental access device, but also spoke to the First Lady through the microphone attached to that device. All

Mr. John Cimko
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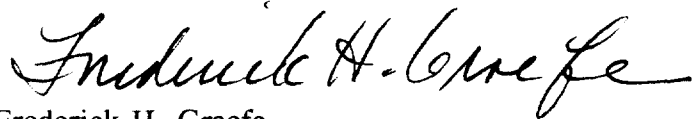
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September 28, 1995

Mr. Daniel Phythyon
Senior Legal Advisor
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 5002
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Mr. Phythyon:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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Mr. Daniel Phythyon
September 28, 1995
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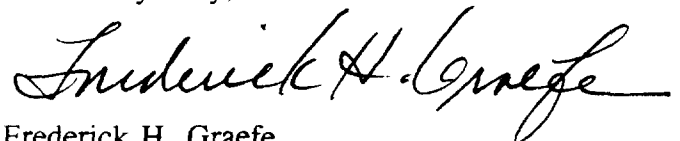
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September 28, 1995

Mr. Michael Buas
Office of Engineering and Technology
Federal Communications Commission
2000 M Street, N.W.
Room 230
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

Dear Mr. Buas:

Recently, you received a copy of a letter from Mr. Thomas Wheeler of the Cellular Telecommunications Industry Association describing a September 13, 1995, media event in which the former Miss America, Ms. Heather Whitestone, used an analog cellular telephone equipped with a special supplemental access device to receive a call from First Lady Hillary Rodham Clinton. In his letter, Mr. Wheeler claims that this event "demonstrates the wireless telecommunications industry's continuing commitment to ensure that all people have access to communications wherever and whenever they want."

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Mr. Michael Buas
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September 28, 1995

Mr. Stan Wiggins
Policy Division
Wireless Telecommunications Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 644
Washington, D.C. 20554

Re: Ex Parte Presentation (RM-8368)

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